

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

Illinois Commerce Commission)	
On Its Own Motion)	
)	
-vs-)	
)	Docket 04-0636
Atlas Communications, Ltd., Choice Telco,)	
LLC, EZ Talk Communications, L.L.C.,)	
Orion Telecommunications Corp.,)	
Satellink Paging, LLC, TalkingNets)	
Holdings, LLC, Telstar International, Inc.,)	
USA Digital Communications, Inc., U.S.Bell,)	
Wings Communications, Inc.)	
)	
Citation for failure to file annual report.)	

PETITION OF WINGS COMMUNICATIONS, INC.
TO REOPEN DOCKET 04-0636

NOW COMES Wings Communications, Inc. ("Wings" or "Petitioner"), by its counsel, and pursuant to 83 ILCS 200.900, hereby petitions the Illinois Commerce Commission ("ICC" or "Commission") to reopen Docket 04-0636 and issue an order reinstating Wings' certificates of service authority to provide telecommunications services in Illinois. In support of its Petition, Wings states as follows:

1. On July 3, 2001, Wings filed a verified Amended Application with the Commission for a Certificate of Service Authority to provide resold and facilities based local and interexchange telecommunications services

within the State of Illinois, pursuant to Section 13-403, 13-404 and 13-405 of the Illinois Public Utilities Act (the "Act").

2. On October 24, 2001 the Commission issued its final order granting Wings' Certificates. In part, the Commission held that "as required by Section 13-404 of the Act, Applicant possesses sufficient technical, financial and managerial resources and abilities to provide the requested telecommunications services within the State of Illinois". See ICC Final Order in Docket 01-0277 at 3.
3. On March 11, 2002 Wings and SBC filed a Joint Petition for Approval of a Negotiated Resale Agreement.
4. The Parties' Agreement was approved by the Commission on May 8, 2002. See Final Order in Docket 02-0220 at 4.
5. On October 20, 2004, the Commission issued a Citation Order for failure to file a 2003 annual report.
6. On February 24, 2005, in its Final Order in Docket 04-0636, the Commission cancelled and revoked Petitioner's Certificates. See ICC Final Order in Docket 04-0636 at 1.
7. During a November 10, 2004 hearing in docket 04-0636, the Commission Staff recommended that the ICC revoke Petitioner's Certificates due to the failure to file a 2003 Annual Report. Staff further asserted that Petitioner's failure to file a 2003 Annual Report was "indicative of the lack of managerial capability necessary to offer

telecommunications services in the state of Illinois.” Docket 04-0636 Tr. at 4.

8. Upon information and belief, Wings did not receive notice of the Commission’s Citation Order prior to the Commission issuing its final order in Docket 04-0636.
9. Petitioner filed Annual Reports for the years of 2001 (on March 11, 2002) and 2002 (on June 13, 2003).
10. Section 5-109 of the Public Utilities Act and 83 Ill. Adm. Code 210 required Petitioner to file its 2003 Annual Report by March 31, 2004. Although its 2003 Annual Report was not timely filed, Petitioner did file its 2003 Annual Report on November 15, 2004.
11. Wings filed its 2004 Annual Report on February 08, 2005.
12. The Illinois Act and the public interest encourage competition in the Illinois telecommunications market.
13. Should the Commission reinstate Wings’ Certificates, Petitioner intends to provide competitive telecommunications services to Illinois consumers.
14. Should the Commission reopen this proceeding, Wings will provide to the Commission any requested information necessary to demonstrate its financial, technical and managerial qualifications to provide telecommunications services in Illinois.

WHEREFORE, for the foregoing reasons, Wings respectfully requests that the Commission reopen Docket 04-0636 and reinstate Wings' Certificates of Service Authority to provide resold and facilities based local and interexchange telecommunications services within the State of Illinois, pursuant to Section 13-403, 13-404 and 13-405 of the Act.

Dated: April 7 2005

Respectfully submitted,

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CERTIFICATE OF SERVICE

I, Kevin D. Rhoda, do hereby certify that I have, on this 7th day of April 2005 caused to be served upon the following individuals, by e-mail, a copy of the Petition of Wings Communications, Inc. to Reopen Docket 04-0636.

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